

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
FLORENCE DIVISION

MICHAEL JONES, #259166,)	C.A. No. 3:03-3482-TLW
)	
Plaintiff,)	
)	
vs.)	
)	WRITTEN OPINION AND ORDER
T. MCCOY, LIEUTENANT BROAD)	
RIVER CORRECTIONAL INSTITUTION)	
(BRCI) OF SOUTH CAROLINA)	
DEPARTMENT OF CORRECTIONS, ET)	
AL.,)	
)	
Defendants.)	
)	
)	
)	

In this *pro se* case, plaintiff Michael Jones, an inmate now or formerly of the South Carolina Department of Corrections, alleges that the defendants violated his constitutional rights in multiple respects. The defendants deny these allegations and have filed a motion for summary judgment (Doc. # 37).

By Order filed November 1, 2004, the petitioner was advised of the summary judgment procedure and the possible consequences if he failed to adequately respond. On November 1, 2004, plaintiff filed a pleading titled “Motion for Courts to Proceed With Jury Trial” (Doc. # 40). In his motion, the plaintiff requests that defendants’ motion for summary judgment be denied.

This matter now comes before the undersigned for review of the Report and Recommendation (“the Report”) filed by United States Magistrate Judge Joseph R. McCrorey to whom this case had previously been assigned. In his Report, Magistrate Judge

McCrorey recommends that the defendants' motion for summary judgment be granted. As reasoned, in part, by the Magistrate Judge:

...plaintiff fails to show that [d]efendants violated his rights under § 1983...

No party has filed objections to the Report.

This Court is charged with conducting a *de novo* review of any portion of the Magistrate Judge's Report to which a specific objection is registered, and may accept, reject, or modify, in whole or in part, the recommendations contained in that report. 28 U.S.C. § 636. As noted above, no objections have been filed to the Report. In the absence of objections to the Report and Recommendation of the Magistrate Judge, this Court is not required to give any explanation for adopting the recommendation. *See Camby v. Davis*, 718 F.2d 198, 199 (4th Cir. 1983).

A *de novo* review of the record indicates that the Report accurately summarizes this case and the applicable law. For the reasons articulated by the Magistrate Judge, it is **ORDERED** that the defendants' motion for summary judgment is **GRANTED** (Doc. # 37). Plaintiff's "Motion for Courts to Proceed With Jury Trial" is **DENIED** (Doc. # 40).

IT IS SO ORDERED.

s/ Terry L. Wooten
Terry L. Wooten
United States District Court Judge

May 17, 2005
Florence, South Carolina